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1 MORRIS LAW GROUP Robert McCoy, Bar No. 9121 2 Email: rrm@morrislawgroup.com Rex D. Garner, Bar No. 9401 3 Email: rdg@morrislawgroup.com 4 900 Bank of America Plaza 300 South Fourth Street 5 Las Vegas, Nevada 89101 6 Telephone: (702) 474-9400 Facsimile: (702) 474-9422 7 8 Attorneys for Federal Deposit Insurance Corporation, as Receiver 9 for Community Bank of Nevada 10 UNITED STATES DISTRICT COURT 11 12 JEFFREY B. GUINN, individually 13 TRUST, et al. 14 15 16 VS. 17 18

DISTRICT OF NEVADA

Case No. 2:09-cv-01809-PMP-CWH and as Trustee of the DEL MAR **JUDGMENT AGAINST KENT** Plaintiff/Counterdefendant, **BARRY** FEDERAL DEPOSIT INSURANCE CORPORATION, AS RECEIVER FOR COMMUNITY BANK OF NEVADA, et al. Defendant/Counterclaimant.

On March 11, 2013, this Court granted the Motion for Partial Summary Judgment by defendant Federal Deposit Insurance Corporation, as Receiver for Community Bank of Nevada ("FDIC-R"), and having ordered entry of judgment as requested in the motion,

IT IS ORDERED, ADJUDGED, AND DECREED that:

1. Plaintiff Kent Barry shall take nothing by this action, and all of his claims against the FDIC-R are dismissed with prejudice;

 2. The FDIC-R is awarded summary judgment on its ninth counterclaim and shall recover from counterdefendant Kent Barry, jointly and severally, the sum of \$724,778.07 for that claim;

- 3. Such Judgment in favor of the FDIC-R shall also include an award of pre-judgment interest against Kent Barry, jointly and severally, in an amount of \$20,381.49, representing an accrual at a per diem rate of \$148.77 from October 26, 2012, through March 13, 2013;
- 4. Such judgment in favor of the FDIC-R shall also include an award of additional pre-judgment interest against Kent Barry, jointly and severally, at a per diem rate of \$148.77 from March 13, 2013 through the date that this Judgment is entered.

PHILIP M. PRO

Ship m. On

United States District Judge

DATED: ______